

Attorney Docket No.: FUSA 21.043 (100807-00100)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Yutaka KOBAYASHI
Confirmation No.: 2127
Serial No.: 10/796,232
Filed: March 9, 2004
Title: Transmission Power Control Method and Apparatus
Examiner: Tuan Hoang Nguyen
Group Art Unit: 2618

June 3, 2010

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR § 1.705(d)

Sir:

In response to the revised Determination of Patent Term Adjustment under 35 U.S.C. § 154(b) issued with the Issue Notification for the subject application, Applicant respectfully requests that the revised patent term adjustment be reconsidered.

Any fee due with this paper, including those set forth in 37 CFR § 1.18(e), may be charged to Deposit Account 50-1290.

The Notice of Allowance for the subject application was issued on February 4, 2010 with a Patent Term Adjustment of 252 days. And the Issue Notification included a revised Patent Term Adjustment of 558 days. The revision was apparently due to the “[f]ailure to issue a patent within three years of the actual filing date of the application” pursuant to 37 CFR § 1.702(b). The subject application had been pending for more than three years from the filing date of March 9, 2004 when Applicant filed a Request for Continued Examination (“RCE”) on January 31, 2008—three-year pendency date of March 9, 2007 to RCE filing date January 31, 2008 = 327 days. 37 CFR § 1.702(b)(1) Accordingly, Applicant respectfully requests that the Patent Term Adjustment be readjusted to $252 + 327 = 579$ days, instead of 558 days.

Applicant respectfully requests that this matter be resolved promptly, and that inquiries be directed to Applicant's undersigned representative at the contact number listed below.

Respectfully submitted

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